

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

RICKEY D. WYATT,)	
)	
Plaintiff,)	
)	
VS.)	CIVIL ACTION NO.
)	
LISA HILL and AMERIHOME)	3:23-CV-1608-G-BN
MORTGAGE COMPANY, LLC,)	
)	
Defendants.)	

**ORDER ACCEPTING FINDINGS, CONCLUSIONS, AND
RECOMMENDATION OF THE UNITED STATES MAGISTRATE JUDGE**

The United States Magistrate Judge made findings and conclusions in this case recommending (1) that, if within the time to file objections, the defendant AmeriHome Mortgage Company, LLC (“AmeriHome”) provides evidence to support its jurisdictional allegations, the court should grant its motion for summary judgment (docket entry 20) and dismiss the claims against it with prejudice and (2) that, if within the time to file objections, the plaintiff Rickey D. Wyatt fails to show why the time to properly effectuate service as to the defendant Lisa Hill (“Hill”) should be extended for good cause under Federal Rule of Civil Procedure 4(m), the court should dismiss the claims against Hill without prejudice (docket entry 26) (the “FCR”).

Wyatt failed to respond.

But, nine days after entry of the FCR, AmeriHome submitted evidence (docket entry 27) that the court finds sufficient to support jury findings as to the parties' citizenships, including the declaration of one its executives setting out its citizenship as a limited liability company, which is neither Texas nor Louisiana, *see* docket entry 27-3; *SXSW, L.L.C. v. Federal Insurance Company*, 83 F.4th 405, 407-08 (5th Cir. 2023), and evidence that reflects that Wyatt is domiciled in Texas, while Hill is domiciled in Louisiana, *see* docket entries 27-1 & 27-2; *SXSW*, 83 F.4th at 407; *Coury v. Prot*, 85 F.3d 244, 251 (5th Cir. 1996).

As no objections were filed, and satisfied that AmeriHome, as the party invoking the court's diversity subject-matter jurisdiction through removal, has satisfied its burden at summary judgment to "provide evidence sufficient to support a jury finding of the citizenship of each" party, *Megalomedia Incorporated v. Philadelphia Indemnity Insurance Company*, 115 F.4th 657, 659 (5th Cir. 2024) (published order), the court reviewed the FCR for plain error.

Finding none, the court **ACCEPTS** the Findings, Conclusions, and Recommendation of the United States Magistrate Judge.

SO ORDERED.

March 25, 2025.



A. JOE FISH
Senior United States District Judge